

# Irish Education Act, 1892, Amendment (No. 2) Bill.

---

## MEMORANDUM.

---

The object of this Bill is to amend section 17 of the Irish Education Act, 1892 (55 & 56 Vict. c. 42), which provides for the compulsory purchase of land for sites for national schools and teachers' residences. The amendments proposed by the Bill are intended to remove the delay and difficulty experienced in complying with the requisites preliminary to the exercise of the powers of compulsory purchase conferred by that section and the Acts incorporated therewith, and to facilitate the exercise of these powers.

Under the existing law, as embodied in section 203 of the Public Health (Ireland) Act, 1878 (41 & 42 Vict. c. 52), and the sections of the Lands Clauses Acts incorporated therewith, the advertisements describing the purpose for which the lands are proposed to be taken and other particulars must be published in the months of September, October, or November, and notices to owners must be published in the three corresponding months of October, November, and December.

It is proposed by sub-clause (1) of clause 1 of the Bill that the advertisements may be published in any three consecutive weeks in the year.

Under the existing law (paragraph (b) of section 17 (2) of the Act of 1892) if a Provisional Order authorising the taking of land is opposed, the Order will be of no effect until confirmed by Parliament. The Bill proposes, by sub-clause (2) of clause 1, to substitute for this provision the machinery of the Labourers Act of 1885 (49 & 49 Vict. c. 77), under which an opposed Order requires confirmation by an Order in Council of the Lord Lieutenant, and (by sub-clause (3)) to repeal the enactment superseded by this provision.

Sub-clause (4) of clause 1 of the Bill is introduced for the purpose of removing difficulties which have arisen as to the depositing of plans and particulars of lands proposed to be taken in some public  
[Bill 344.]

offices, and accordingly provides that section 11 of the Railways Act (Ireland) 1851 (14 & 15 Vict. c. 70) shall apply to such plans and documents. That section provides that clerks of the peace and clerks of unions shall retain such documents in their custody, and shall permit all persons interested to inspect the same, and to make copies and extracts therefrom.

A  
B I L L

TO

Amend the Irish Education Act, 1892.

A.D. 1893.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 1.—(1.) The advertisements required for the purposes of section seventeen of the Irish Education Act, 1892 (herein-after called "the principal Act"), may be published in any three consecutive weeks in any year, and the notices required for the like purposes may be served after the expiration of *one month* from the date of  
10 the last publication of any such advertisement.

*Amendment of 55 & 56 Vict. c. 42, s. 17, as to taking of land.*

- (2.) If within one month after the making of a provisional order under the said section a petition against the order is presented to the Local Government Board for Ireland by an owner, lessee, or occupier of land proposed to be taken compulsorily, then the order  
15 shall be of no force unless and until it is confirmed by the Lord Lieutenant by Order in Council in manner provided by section twelve of the Labourers (Ireland) Act, 1893, and the provisions of that section relative to the procedure for the confirmation of provisional orders shall thereupon apply to any provisional order made  
20 under the said section seventeen as if they were herein re-enacted, and in terms made applicable to the trustees therein mentioned instead of to the sanitary authority; but if no such petition is presented then the order shall come into force at the expiration of one month from the publication thereof.

*55 & 56 Vict. c. 77.*

- 25 (3.) Paragraph (b) of subsection two of section seventeen of the principal Act is hereby repealed.

- (4.) Section eleven of the Railways Act (Ireland), 1851, shall apply to plans and documents required to be deposited under the principal Act.

*14 & 15 Vict. c. 70.*

[Bill 344.]

